

1 J. CHRISTOPHER JORGENSEN, ESQ.
State Bar No. 5382
2 MENG ZHONG, ESQ.
State Bar No. 12145
3 LEWIS AND ROCA LLP
3993 Howard Hughes Pkwy., Ste. 600
4 Las Vegas, NV 89169
(702) 949-8200
5 (702) 949-8398/fax

6 Attorneys for Defendants Bank of
America, N.A. and Mortgage
7 Electronic Registration Systems, Inc.

8 UNITED STATES DISTRICT COURT
9 FOR THE DISTRICT OF NEVADA

10 CESAR ALDANA,

Case: 3:10-cv-00715-RCJ-RAM

11 Plaintiff,

12 vs.

13 U.S. FINANCIAL MORTGAGE CORP.;
14 MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC. [MERS];
15 FIRST CENTENNIAL TITLE COMPANY;
QUALITY LOAN SERVICE CORP.; FIRST
16 AMERICAN NATIONAL DEFAULT aka
FIRST AMERICAN TITLE; FIRST
17 AMERICAN TITLE INSURANCE
COMPANY; BANK OF AMERICA, N.A.;
18 DOCUMENT PROCESSING SOLUTIONS;
CINDY COOK, individually; et al.,

**SUPPLEMENTAL ORDER
CONCERNING MEDIATION AND
INTERIM PAYMENTS**

19 Defendants.
20

21 Pursuant to Court Order dated March 31, 2011 [Dkt. #29]:

22 IT IS HEREBY ORDERED that:

- 23 (a) The foreclosure of the property located at 5732 Sun Valley Boulevard, Sun Valley,
24 Nevada, Parcel No. 085-472-18, is prohibited for 100 days from the date of the
25 Order dated March 31, 2011 [Dkt. #29], contingent on the following;
- 26 (i) Plaintiff shall make mortgage payments of \$910.00 on or before May 1,
27 2011; \$910.00 on or before June 1, 2011; \$910.00 on or before July 1,
28 2011; and \$910.00 on or before August 1, 2011, while the injunction is in

1 place. Plaintiff's payment are to be sent to Bank of America, C/O J.
2 Christopher Jorgensen, Lewis and Roca LLP, 3993 Howard Hughes Pkwy.,
3 Suite 600, Las Vegas, Nevada, 89169; to be placed in the Trust Fund of
4 Lewis and Roca until the completion of this litigation or other court order
5 directing its release;

- 6 (b) The parties are to return to the state mediation program under the following
7 conditions:
- 8 (i) Plaintiff must provide Defendants with all necessary financial
9 information/documentation so a loan modification can be processed;
 - 10 (ii) Defendants must have an individual, with loan modification
11 authority, present at the mediation and provide all documents
12 required by the state mediation program;
 - 13 (iii) At the mediation, Plaintiff is prohibited from making any argument
14 regarding "original note," securitization, existence of the loan, or
15 any other vapor money theories, as contained in his Complaint; and
 - 16 (iv) The purpose of the mediation is only to determine if Plaintiff
17 qualifies for a loan modification and if a loan modification can be
18 agreed to.

19 IT IS FURTHER ORDERED that this case is not stayed, and Defendants are permitted to
20 proceed with the filings of any pleadings; and

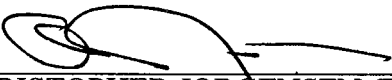
21 IT IS FURTHER ORDERED that Plaintiff's failure to make interim payments or to
22 participate in mediation will result in dismissal of the case.

23
24 
25 U.S. DISTRICT COURT JUDGE
26 DATED: 04-25-2011
27
28

1 Respectfully submitted by:

2 LEWIS AND ROCA LLP

3
4 By


J. CHRISTOPHER JORGENSEN, ESQ.
Attorney for Defendants